



Legislative Bulletin.....May 23, 2007

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H.R. 1100 — Carl Sandburg Home National Historic Site Boundary Revision Act of 2007

Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: 0

Total Cost of Discretionary Authorizations: \$7 million over five years

Effect on Revenue: \$0

Total Change in Mandatory Spending: \$0

Total New State & Local Government Mandates: 0

Total New Private Sector Mandates: 0

Number of Bills Without Committee Reports: 0

Number of Reported Bills that Don't Cite Specific Clauses of Constitutional Authority: 1

**H.R. 1100 — Carl Sandburg Home National Historic Site Boundary
Revision Act of 2007 (*Shuler, D-NC*)**

Order of Business: The bill is scheduled for consideration on Wednesday, May 23, 2007, subject to a structured rule ([H.Res. 429](#)), making three amendments in order (summarized below) and allowing a motion to recommit with instructions.

Summary: H.R. 1100 would authorize the Secretary to Interior to purchase, from willing sellers, 115 acres of land, water, or interests in land and water, to be added to the Carl Sandburg Home National Historic Site. Five acres of the 115-acre parcel, would be used for the development of a visitor's center and a visitor parking area. The newly-

acquired land would be administered as part of the historic site in accordance with applicable laws and regulations.

Additional Information: According to Committee Report [110-157](#), located near Flat Rock, North Carolina, the Carl Sandburg Home National Historic Site was established as part of the National Park System (NPS) in 1968, and currently includes 264 acres of federal land. Carl Sandburg was an American author and won two Pulitzer Prizes. The Sandburg historical site is home to the Sandburg residence, a goat barn, and hiking trails. To read more about the site, please click [here](#).

The Committee Report states the following regarding the need for additional land: “As required by the National Park Service’s policies on land protection, the historic site’s 2003 General Management Plan (GMP) identified and evaluated boundary adjustments that may be necessary or desirable in order to carry out the purposes of the historic site. The preferred alternative from the GMP, as reflected in the resulting Record of Decision, recommended a boundary addition of 115 acres, of which not more than 5 acres are for the construction of a new visitor center and parking lot. Congressional authorization is required to expand the boundary of the historic site.”

However, several Republican Members of the Committee included dissenting views in the Committee Report, arguing against a 115-acre expansion of federal landholdings. The following is a portion of the dissenting views.

“Despite a legislative hearing and two markups, neither the Majority, nor the bill’s sponsor have ever made a compelling case for this boundary expansion. To be fair, the National Park Service did make a case for a five acre expansion for a visitor center and parking lot to address safety concerns and to enhance the visitor experience. The additional 110 acres have been proposed to protect a ‘viewshed.’ ...this bill has the additional complication of attempting to protect a view that is not visible from the actual park unit. From the evidence presented to the Committee, and accepted by the Majority, the land in question is not visible from nearly the entire historic site. Rather the viewshed is on the other side of a ridge which marks the park’s boundary. The 110 proposed acres are clearly out of view of the Carl Sandburg home, which this National Park unit is designed to preserve and interpret. **We have seen no evidence that this augmentation of the immense federal estate will in any way enhance the visitor experience or even protect the National Historic Site**” (emphasis added).

Possible Conservative Concerns: Some conservatives may be concerned that this bill would add 115 acres to federal landholdings (when arguably only five acres are needed), likely costing \$7 million, of which roughly half would be used to build a visitor’s center at a historic site in North Carolina.

Committee Action: H.R. 1100 was introduced on February 15, 2007, and referred to the House Committee on Natural Resources, which held a mark-up and reported the bill by voice vote, as amended, on May 17, 2007.

Cost to Taxpayers: According to CBO, enacting H.R. 1100 would “cost \$7 million over the next several years.” CBO estimates that approximately half of the cost would be incurred from purchasing the additional land, and the other half would be derived from the cost of establishing and equipping a visitor’s center at the site.

Amendments Made in Order Under the Rule:

Bishop, (R-UT) #1. Prohibits the acquisition of any property for the Carl Sandburg Home National Historic Site until after deferred maintenance has been completed at the site.

Bishop, (R-UT) #2. Reduces the total amount of acreage which can be acquired for the Carl Sandburg Home National Historic Site from 115 acres to five, which is for use as a visitor center and parking lot. As noted in the dissenting views in the Committee Report, “The 110 proposed acres are clearly out of view of the Carl Sandburg home, which this National Park unit is designed to preserve and interpret. We have seen no evidence that this augmentation of the immense federal estate will in any way enhance the visitor experience or even protect the National Historic Site.”

Heller (R-NV). Prohibits federal funds from being appropriated to acquire 110 acres of land for the Carl Sandburg Home National Historic Site, but allows the land to be acquired by donation, purchase with *donated* funds or by exchange with other lands. The underlying bill allows the Secretary to obtain the additional land through “purchase with donated or appropriated funds.”

Does the Bill Expand the Size and Scope of the Federal Government?: Yes. The bill adds 115 acres to the federal landholdings.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Earmark Compliance: According to Committee Report [110-157](#), the “H.R. 1100 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(t) of rule XXI.”

Constitutional Authority: The committee cites constitutional authority in Article I, Section 8, but fails to cite a specific clause.

House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution” (*emphasis added*).

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